

Amendment under 37 C.F.R. § 1.111
U.S. Application No. 10/622, 549

AMENDMENTS TO THE DRAWINGS

Applicant submits herewith one replacement sheet for Figures 2 and 3, as requested by the Examiner.

Attachment: 1 Replacement Sheet

REMARKS

Claims 1-10 have been examined. Claims 1, 2, 4 and 7-8 have been rejected under 35 U.S.C. § 102(e) and claims 9 and 10 have been rejected under 35 U.S.C. § 103(a). Also, the Examiner has indicated that claims 3, 5 and 6 contain allowable subject matter.

I. Preliminary Matters

The Examiner has objected to Figures 2 and 3 as not being provided with descriptive text labels. Accordingly, Applicant submits herewith a formal replacement sheet for Figures 2 and 3.

In addition, Applicant has amended the specification to provide a brief description of reference numerals 141 and 142 shown in Figure 3 and to correct an error therein. No new matter has been added.

II. Rejections under 35 U.S.C. § 102(e)

The Examiner has rejected claims 1, 2, 4, 7 and 8 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 7,095,798 to Hunton ("Hunton").

A. Claim 1

Applicant submits that claim 1 is patentable over the cited reference. For example, claim 1 recites, "calculating scaling factors for a pulse train comprising a group of at least two peaks whose power exceeds a predefined threshold, said scaling factor for one peak taking into account

an influence on said peak which occurs if at least one other peak of said group is applied a scaling factor."

The Examiner maintains that Hunton discloses the above features. Hunton is directed to peak power reduction in multi-carrier communication systems. A peak reduction calculation circuit calculates a peak reduction correction based on an input signal S and a signal peak limiting constant L (col. 5, lines 52-55). An output represents a difference between the input signal S and a version of S hard limited to the amplitude L (col. 5, lines 63-65). Hunton further discloses that several parallel correction filter paths may be used (col. 5, line 65 to col. 6, line 18). Applicant submits, however, that there is no teaching or suggestion that the scale factor for one peak, of a group of peaks, "takes into account an influence" on the peak which occurs if at least one other peak of the group is applied a scaling factor, as recited in claim 1.

At least based on the foregoing, Applicant submits that claim 1 is patentable over the Hunton reference.

B. Claims 2, 4 and 7

Since claims 2, 4 and 7 are dependent upon claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency.

C. Claim 8

Since claim 8 contains features that are analogous to the features discussed above for claim 1, Applicant submits that claim 8 is patentable for at least analogous reasons as claim 1.

Amendment under 37 C.F.R. § 1.111
U.S. Application No. 10/622, 549

III. Rejections under 35 U.S.C. § 103(a)

The Examiner has rejected claims 9 and 10 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hunton. However, since claims 9 and 10 are dependent upon claim 8, Applicant submits that such claims are patentable at least by virtue of their dependency.

IV. Allowable Subject Matter

As set forth above, the Examiner has indicated that claims 3, 5 and 6 contain allowable subject matter.

V. Newly Added Claim

Applicant has added new claim 11. Applicant submits that claim 11 is allowable for at least analogous reasons as claim 5.

VI. Conclusion

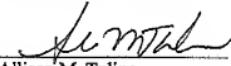
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Amendment under 37 C.F.R. § 1.111
U.S. Application No. 10/622, 549

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Alison M. Tulino

Registration No. 48,294

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: March 16, 2007